

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEON DOUGLAS #132125,

Plaintiff, Hon. Robert J. Jonker
v. Case No. 1:15-cv-00041-RJJ-PJG

CARMEN PALMER, et al.,

Defendants,

/

APPENDIX A

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE		EFFECTIVE DATE 02/06/12	NUMBER 04.07.110
SUBJECT STATE-ISSUED ITEMS AND CELL/ROOM FURNISHINGS		SUPERSEDES 04.07.110 (12/31/07)	
		AUTHORITY 791.203; 791.204; 791.237	
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POLICY STATEMENT:

Prisoners in Correctional Facilities Administration (CFA) institutions shall be provided state-issued items, including clothing, and provided cell/room furnishings to provide for their basic personal needs while incarcerated. If needed, prisoners shall be provided other state-issued clothing upon parole or discharge.

POLICY:GENERAL INFORMATION

- A. For purposes of this policy, "prisoner" includes probationers in the Special Alternative Incarceration Program (SAI).
- B. All state-issued items and cell/room furnishings shall be clean and in good repair, and shall be replaced at all facilities as needed due to normal wear and tear or loss.
- C. The CFA Deputy Director shall determine the official material for state-issued prisoner clothing. The clothing shall be issued to prisoners in the proper size and shall be reissued as necessary due to a change in clothing size. If a prisoner requests an item in an unusual size (e.g., extremely large; extremely small) and the item cannot be provided from Michigan State Industries within 30 calendar days of the request, the item shall be immediately ordered from another source. Clothing items shall be worn consistent with standards set forth in procedures issued by the CFA Deputy Director or, for SAI, as set forth by the Warden of the Cooper Street Correctional Facility (JCS). Except for underwear and headgear issued pursuant to Paragraph I, clothing items may be reissued to other prisoners.
- D. Prisoners are responsible for having their washable state-issued items, including clothing, laundered. Each Warden shall develop a laundry schedule to ensure that regular laundering services are available to prisoners. Laundry schedules shall be posted in all housing units in an area accessible to prisoners.
- E. Prisoners may not decline state-issued items issued pursuant to Paragraph I except for pajamas, underwear items, or if an alternate item is required to be issued for medical reasons as documented by a currently valid Special Accommodation Notice (CHJ-244) issued pursuant to PD 04.06.160 "Medical Details and Special Accommodation Notices".

STATE-ISSUED CELL/ROOM FURNISHINGS IN CFA INSTITUTIONS

- F. In SAI, state-issued cell/room furnishings shall be issued as determined by the JCS Warden. For all other prisoners in the general population, state-issued cell/room furnishings for prisoners shall include the following, unless specifically exempted in writing by the CFA Deputy Director:
 - 1. One acrylic, stainless steel or polished aluminum mirror. This is not required if mirrors are provided in a community grooming area (e.g., washroom).
 - 2. Bulletin board – maximum 2' x 2'. Except for a reasonable selection of neatly arranged pictures which may be displayed on a desk or locker top or inside the locker, pictures and other displays may be hung only on a bulletin board within the prisoner's cell or room. Nude pictures, to the extent permitted in PD 05.03.118 "Prisoner Mail", shall not be displayed or hung anywhere in a cell or room, including on bulletin boards or inside lockers. This does not prevent a prisoner from keeping the nude pictures in an approved scrapbook or photo album provided the pictures are not openly displayed in the cell or room.

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- 3. Writing surface.
- 4. Seating surface.
- 5. Bed.
- 6. Locker.
- 7. Wastebasket.
- 8. Prisoner Guidebook.
- 9. Fan approved by the CFA Deputy Director, but only in double-bunked cells or rooms unless otherwise approved by the CFA Deputy Director.
- 9. Mattress, fire retardant with staph-chek covering.
- 10. Pillow with staph-chek covering.

G. Staff shall complete a Cell Inventory Checklist (CAJ-896) upon a prisoner's assignment to a cell or room, which shall reflect the condition of that cell/room and that all required furnishings have been provided. The form shall be signed by both the prisoner assigned and the staff person completing the form. Staff also shall complete the form for that cell/room when the prisoner is reassigned to another cell/room. Staff shall identify any items missing from or damage to the cell/room.

H. Prisoners shall be held responsible for their willful loss of or willful damage to state-issued cell/room furnishings. If a prisoner does not agree to the removal of funds from his/her account to pay for the cost of the item, a hearing shall be conducted pursuant to Administrative Rule 791.3310 or 791.3315, as appropriate, to determine if the item was willfully lost or willfully damaged by the prisoner and, if so, whether restitution should be ordered. If restitution is ordered, the funds shall be removed from the prisoner's account in the manner set forth in PD 04.02.105 "Prisoner Funds".

CLOTHING AND OTHER STATE-ISSUED ITEMS IN CFA INSTITUTIONS

I. All newly committed prisoners, prisoners returned as parole violators, and prisoners returned from escape status shall be issued the following items at a reception facility and at other facilities at which intake processing occurs, except as set forth in Paragraph J:

- 1. Underwear, as set forth below:
 - a. Socks - three pairs
 - b. Brassieres - three (females only)
 - c. Undershirts - two (males only)
 - d. Underpants - seven
 - e. Thermal tops and bottoms - two pairs
- 2. Trousers/slacks - two
- 3. Shirts/blouses - two
- 4. Shorts - one
- 5. T-shirts - two (females only)
- 6. Winter coat - one

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- 7. Belt, if trousers/slacks do not have elasticized waist - one
- 8. Shoes - one pair
- 9. Pajamas - two pairs
- 10. Robe - one (females only)
- 11. Gloves - one pair
- 12. Knit cap - one
- 13. The following linens:
 - a. Blanket(s)
 - b. Sheets - two sets
 - c. Pillow cases - two
 - d. Towels - three
 - e. Washcloths - two
- 14. Laundry bags - one for light colors and one for dark colors
- 15. Duffel bag - one

J. Prisoners shall be permitted to continue to possess and wear state-issued items that were issued prior to the effective date of this policy. Initial issue and replacement of state-issued items shall be limited to the quantities identified in Paragraph I.

K. SAI prisoners shall be issued clothing, linens, laundry bags, and duffel bags as determined by the JCS Warden.

L. State-issued undershirts, t-shirts, coats, trousers, slacks, shirts, blouses, and laundry bags shall be conspicuously marked with the identification number of the prisoner to whom it is issued. The items shall be marked consistent with standards set forth in procedures issued by the CFA Deputy Director or, for SAI, as set forth by the JCS Warden.

M. Prisoners in segregation shall be permitted to retain in their cell only the following state-issued items; all other state-issued items shall be stored for the prisoner while in segregation:

- 1. Underwear issued pursuant to Paragraph I.
- 2. Shorts.
- 3. Athletic shirts/t-shirts (females only)
- 4. Pajamas.
- 5. Trousers/slacks and shirts/blouses. However, jumpsuits may be issued in lieu of these items with approval of the Warden.
- 6. Soft-soled shoes.
- 7. Wardens may prohibit prisoners from possessing state-issued coats, gloves, and caps in their cell; however, if prohibited, prisoners shall be provided access to these items as needed for outdoor activity and transportation.

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- 8. Wardens may prohibit prisoners from possessing laundry bags in their cell; however, if prohibited, prisoners shall be provided access to laundry bags as needed for laundry.
- 9. Linens, as set forth in PD 04.05.120 "Segregation Standards".
- N. Prisoners assigned to work in Michigan State Industries or on grounds or maintenance work assignments shall be issued one of the following as needed due to the nature of the work: 6" work boots, 6" safety boots, or 10" safety boots.
- O. If requested, winter work coats, boots, gloves, and headgear with earmuffs shall be issued to prisoners working outdoors in cold weather; additional winter clothing may be issued with approval of the Warden or designee. Rain gear shall be issued to prisoners working outdoors when it is raining. Special assignment clothing (e.g., uniforms, overshoes) shall be issued as needed due to the nature of the work.
- P. Except in SAI, staff shall complete a Prisoner Declaration of Received Clothing & Linen Issue form (CAJ-355) at the time of issue. The form shall be signed by both the prisoner receiving the items and the staff person completing the form. A copy of the completed form shall be retained in the prisoner's Counselor file.
- Q. Except in SAI, Prisoner Request for State Issue Clothing forms (CAJ-251) shall be available in housing units and from the quartermaster.
- R. Prisoners shall be held responsible for their willful loss of or willful damage to clothing and other items issued pursuant to this section. Prisoners shall be required to pay restitution for items they willfully lost or willfully damaged at the item's average replacement cost. The average replacement cost of each item shall be determined by the CFA Deputy Director and included on the Prisoner Declaration of Receiving Clothing & Linen Issue form (CAJ-355).
- S. Except if the prisoner agrees in writing to the removal of funds from his/her account to pay the cost of an item s/he willfully lost or willfully damaged, a hearing shall be conducted pursuant to Administrative Rule 791.3310 or 791.3315, as appropriate, to determine if the item was willfully lost or willfully damaged by the prisoner and, if so, whether restitution should be ordered. If restitution is ordered, the funds shall be removed from the prisoner's account in the manner set forth in PD 04.02.105 "Prisoner Funds".
- T. All state-issued items identified in Paragraph I, except for linens and items being laundered, shall transfer with the prisoner when transferring between CFA facilities except to and from SAI. Whenever a prisoner transfers other than to and from SAI, a Prisoner Receipt for State-Issue Items - On Transfer form (CSJ-254) shall be completed at the sending facility. The form shall be signed by the packing officer and, if available, the prisoner. The form also shall be signed at the receiving facility by both staff and the prisoner.
- U. Except if transferred to or from SAI, state-issued items being laundered which are not transferred with a prisoner shall be transferred as soon as possible after laundering to the receiving CFA facility to ensure receipt within ten business days after the prisoner's transfer to that facility. The prisoner shall be provided upon request with replacement state-issue until the laundered items are received or permanently replaced. Temporary items issued pursuant to this paragraph may be reissued to other prisoners and do not need to be marked with the receiving prisoner's number, unless otherwise determined by the CFA Deputy Director and set forth in Department procedure.
- V. Except for underwear and headgear issued pursuant to Paragraph I, all state-issued items shall be turned in when a prisoner is paroled or discharged.

DRESS-OUT CLOTHING

- W. If requested, a prisoner who is paroled or discharged shall be issued the following dress-out clothing prior to release if s/he does not have personal clothing to wear; however, state-issued clothing ("blues") may be provided in lieu of dress-out clothing when the prisoner is paroling to an FOA residential reentry

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facility to which the Department is providing transportation or is paroling to detainer.

1. A jacket or coat suitable for the season.
2. One pair trousers or slacks.
3. One shirt or blouse.
4. One pair shoes, except that CFA prisoners instead shall be permitted to keep one pair of shoes issued pursuant to Paragraph I.
5. One pair of underpants and, for female prisoners, one brassiere, except that CFA prisoners instead shall be permitted to keep underpants and brassieres issued pursuant to Paragraph I.
6. One pair of socks, except that CFA prisoners instead shall be permitted to keep socks issued pursuant to Paragraph I.

X. With prior approval of the Warden or designee, personal clothing may be received from a family member or other member of the public for a prisoner to wear upon release provided the clothing is received and searched by staff; staff shall not give the clothing to the prisoner until s/he is being processed for release.

Y. If requested, a prisoner who is being paroled who has a verified job waiting in the community shall be issued two additional shirts or blouses, two additional pairs of work trousers or slacks, and either a pair of work shoes or 6" work boots in lieu of regular dress-out shoes.

Z. Except for shoes, clothing items issued pursuant to Paragraphs I, K, and L shall not be issued as dress-out clothing.

CLOTHING FOR COURT APPEARANCES

AA. Prisoners shall be issued civilian clothing to wear for court appearances as set forth in PD 04.04.135 "Custodial Transportation of Offenders".

PROCEDURES

BB. Wardens and the CFA Deputy Directors shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive. Procedures shall be completed within 60 calendar days after the effective date of this policy directive. This includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

AUDIT ELEMENTS

CC. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

APPROVED: DHH 01/19/12